

Howard & Howard Attorney PLLC
3800 Howard Hughes Pkwy., Suite 1400
Las Vegas, NV 89169
(702) 257-1483

James A. Kohl, Esq.
NV Bar No. 5692
Howard & Howard Attorneys PLLC
3800 Howard Hughes Pkwy., Ste. 1400
Las Vegas, NV 89169
Telephone: (702) 257-1483
Facsimile: (702) 567-1568
E-Mail Address: jak@h2law.com
Attorney for Defendant Flagstar Bank
and First Option Mortgage

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LUCIA G. SANCHEZ, an individual

Case No.: 2:10-CV-01381

Plaintiffs,

vs.

FLAGSTAR BANK, NA, a Michigan
Corporation; First Option Mortgage; MERS and
John Doe 1-20 inclusive

Defendants

DEFENDANT'S NOTICE OF RESOLUTION AND REQUEST FOR DISMISSAL

Defendants, by and through their counsel, James A. Kohl, Esq., of the law firm Howard & Howard Attorneys PLLC, files this Notice of Resolution. At the hearing on the Motion to Dismiss, the Court informed Plaintiff that it was inclined to grant Defendant's Motion. This matter was continued to February 3, 2011 because Plaintiff indicated that she wanted to discuss the arrearages with Defendants. Attached hereto as Exhibit 1 is a letter dated January 19, 2011, from Plaintiff to Flagstar Bank's loan servicing contractor ("Letter"). Pursuant to the Letter, Plaintiff sent a cashier's check number 075413605 in the amount of \$7,186.68 ("Check"). The Check paid the overdue loan payments and all costs

1 associate therewith. As a result of the payment, Plaintiff is current on her loan. Given the
2 payment from Plaintiff to Flagstar, this matter is now moot. Defendants respectfully request
3 that the Court dismiss this matter and vacate the hearing set for February 3, 2010 at 2:30 pm.
4

5 Dated this 28th day of January, 2011.

6 Howard & Howard Attorneys PLLC

7
8 /s/ James A. Kohl
9 James A. Kohl, Esq.
10 NV Bar No. 5692
11 3800 Howard Hughes Parkway
12 Suite 1400
13 Las Vegas, NV 89169
14 (702) 257-1483
15 jak@h2law.com
16
17
18
19
20
21
22
23
24
25
26
27
28

Howard & Howard Attorney PLLC
3800 Howard Hughes Pkwy., Suite 1400
Las Vegas, NV 89169
(702) 257-1483

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of January, 2011, I deposited in the Post Office of Las Vegas, Nevada, a true and correct copy of the **DEFENDANT'S NOTICE OF RESOLUTION AND REQUEST FOR DISMISSAL**, and enclosed in a sealed envelope upon which appropriate postage was fully prepaid and addressed as follows:

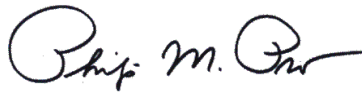
Lucia G. Sanchez
5816 Heron Avenue
Las Vegas, NV 89107

Lucia G. Sanchez
3116 W. Mead Avenue
Las Vegas, NV 89102

/s/ Stephanie T. George

An employee of Howard & Howard Attorneys PLLC

IT IS SO ORDERED.



PHILIP M. PRO, U.S. DISTRICT JUDGE

Dated: February 2, 2011

Howard & Howard Attorney PLLC
3800 Howard Hughes Pkwy., Suite 1400
Las Vegas, NV 89169
(702) 257-1483

EXHIBIT 1

January 19, 2011

John Lowrie
Foreclosure Technician
46 N. Second Street
Campbell, CA 95008

Re: Lucia Sanchez
T.S. No: 8051 050766
Loan No:
Property: 104 Mallard Street
Las Vegas, Nevada 89107

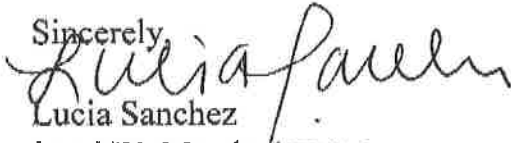
Dear Mr. Lowrie:

Pursuant to our conversation of yesterday, enclosed you will find a Cashier's Check made payable to PLM Lender Services, Inc. in the amount of \$7,186.65.

Although I absolutely refute the extra charges that have been levied upon me due to the continued refusal to accept my payments by Flagstar, it's attorney and/or PLM since November of 2010, it is my understanding relayed to me by you, that this payment brings my loan current. Please confirm this in writing to me upon receipt of the Cashier's Check at your earliest possible convenience.

If you have any questions or comments, please do not hesitate to contact me at 3116 W. Meade Avenue, Las Vegas, Nevada 89102.

Sincerely,


Lucia Sanchez
3116 W. Meade Avenue
Las Vegas, Nevada 89102

cc: Flagstar Bank, N.A. - Via Facsimile 1-888-265-6986
James Kohl, Esq. - Via Facsimile 702-567-1568

✓
4 PAGES

PLM LENDER SERVICES, INC.
46 N. SECOND STREET
CAMPBELL, CA 95008
Tel 408 370-4030
Fax 408 370-5484

Date: 1/6/2011

Name: Lucia Sanchez
T.S. No:
Loan No:
Trustor: LUCIA SANCHEZ
Property Address: 104 S MALLARD ST
LAS VEGAS, NV 89107

Principal Balance: \$110,612.00

Current Interest Rate: 6.00

The amount to reinstate the above referenced loan good through 1/21/2011 is as follows:

PAYMENTS

Delinquent From	Delinquent To	Payments	Amount	Total
08/01/2010	11/01/2010	4	\$926.78	\$3,707.12
12/01/2010	01/07/2011	2	\$911.37	\$1,822.74
				TOTAL \$5,529.86

ADVANCES AND EXPENSES

DELINQUENT LATE CHARGES:

NON-ESCROW ADVANCE

TRUSTEE'S FEES AND COSTS

TRUSTEE FEE	\$487.50
DEMAND FEE	\$30.00
TRUSTEE SALE GUARANTEE	\$575.40
ASSIGNMENT OF DEED OF TRUST	\$40.00
SUBSTITUTION OF TRUSTEE	\$40.00
RECORD NOTICE OF DEFAULT	\$41.00
RESCISSION OF NOD	\$10.00
POSTING NOD	\$150.00
COURTESY MAILING RETURN RECEIPT	\$16.18
TEN DAY MAILING RETURN RECEIPT	\$40.45
5 DAY MAILINGS RETURN RECEIPT	\$8.09
COURTESY MAILING RETURN RECEIPT	\$8.09
FED-EX	\$26.00

TOTAL DUE TO BENEFICIARY: \$5,713.94
TRUSTEE'S FEES AND COSTS: \$1,472.71

TOTAL AMOUNT TO REINSTATE: \$7,186.65

This is an attempt to collect a debt and any information obtained will be used for that purpose. This notice is required by the Fair Debt Collections Practices Act and does not imply that we are attempting to collect money from anyone who has discharged by the debt under the Bankruptcy laws of the United States.

If funds are not submitted by 1/21/2011, you must contact our office to request updated figures.

Payment will only be accepted in the form of a cashier's check or money order made payable to PLM LENDER SERVICES, INC.

Additional Instructions:

Yours Truly,


JOHN LOWRIE, FORECLOSURE TECHNICIAN

Shipment Receipt: Page #1 of 1

THIS IS NOT A SHIPPING LABEL. PLEASE SAVE FOR YOUR RECORDS

SHIP DATE:
Wed, Jan 19, 2011

EXPECTED DELIVERY DATE:
THUR, JAN 20, 2011 10:30 AM

SHIPMENT INFORMATION:
UPS Next Day Air Com
0.6 lbs actual wt (Manit)
LTR Billed Weight
Carrier Letter Store Packed

SHIP FROM:
THE UPS STORE #0136
RAF
3540 W SAHARA AVE
LAS VEGAS NV 89102-5016
(702) 367-6252

Tracking Number: 1z7962570176762791
Shipment ID: MMXTOEP3AFDA
Order/Item #: .
Ref#: .

SHIP TO:
PLM LENDER SERVICES INC
46 N 2ND ST
CAMPBELL CA 95008-2026
Business

DESCRIPTION OF GOODS:

SHIPPED THROUGH:
THE UPS STORE #0136
LAS VEGAS NV 89102-5016
(702) 367-6252

SHIPMENT CHARGES:	
Next Day Air Com	\$26.35
Service Options	\$0.00
Fuel Surcharge	\$2.37
CM5 Processing Fee	\$0.20
Total	\$28.92

COMPLETE ONLINE TRACKING:
Enter either of these addresses in your web browser to track:
<http://thupsstore.com> (select tracking, enter shipment ID #)
<http://mwr.com> (select tracking, enter shipment ID #)
SHIPMENT QUESTIONS? Contact SHIPPED THROUGH above

Shipment ID: MMXTOEP3AFDA



Forwarded by 1Ship(1m)
01/19/2011 12:18 PM Pacific Time

See NOTICE ON REVERSE regarding UPS Terms, and notice of limitation of liability. Where allowed by law, shipped contents are insured at the declared value for up to \$500,000.00. If shipped contents are lost or damaged, the carrier will be liable for the actual loss. The carrier's liability is limited to the actual loss. The carrier's liability is limited to the actual loss. The carrier's liability is limited to the actual loss.

0007454
Office AU # 1210(8)

CASHIER'S CHECK

SERIAL #: 0745413605
ACCOUNT#: 4861-505451

Purchaser **LUCIA G SANCHEZ**
Purchaser Account: 0403021520
Operator I.D.: reno1691 reno1937

January 19, 2011

PAY TO THE ORDER OF ***PLM LENDER SERVICES, INC.***
RE: LUCIA SANCHEZ

Seven thousand one hundred eighty-six dollars and 68 cents

***\$7,186.68**

WELLS FARGO BANK, N.A.
3300 W SAHARA AVE
LAS VEGAS, NV 89102
FOR INQUIRIES CALL (480) 394-3122

NOTICE TO PURCHASER-IF THIS INSTRUMENT IS LOST,
STOLEN OR DESTROYED, YOU MAY REQUEST CANCELLATION
AND REISSUANCE. AS A CONDITION TO CANCELLATION AND
REISSUANCE, WELLS FARGO & COMPANY MAY IMPOSE A
FEE AND REQUIRE AN INDEMNITY AGREEMENT AND BOND.

VOID IF OVER US \$ 7,186.68

NON-NEGOTIABLE

Purchaser Copy

0007454
Office AU # 1210(8)

CASHIER'S CHECK

0745413605

Operator I.D.: reno1691 reno1937

January 19, 2011

PAY TO THE ORDER OF ***PLM LENDER SERVICES, INC.***
RE: LUCIA SANCHEZ

Seven thousand one hundred eighty-six dollars and 68 cents

***\$7,186.68**

WELLS FARGO BANK, N.A.
3300 W SAHARA AVE
LAS VEGAS, NV 89102
FOR INQUIRIES CALL (480) 394-3122

VOID IF OVER US \$ 7,186.68

Richard Long
CONTROLLER

⑈0745413605⑈ ⑆121000248⑆4861 505451⑈